



CANNON BUILDING
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STATE OF DELAWARE
BOARD OF HOME INSPECTORS

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| PUBLIC MEETING NOTICE: | BOARD OF HOME INSPECTORS |
| DATE AND TIME: | Tuesday, February 11, 2014 at 9:00 a.m. |
| PLACE: | 861 Silver Lake Boulevard, Dover, DE Cannon Building, Second-Floor Conference Room A |
| APPROVED: | March 11, 2014 |

MEMBERS PRESENT

Donald E. Pyle, Sr., Professional Member, Chair
Tim Harriger, Professional Member
Dennis Theoharis, Public Member, Vice Chair

MEMBERS ABSENT

Joyce Edwards, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Jennifer Singh, Deputy Attorney General
Amanda McAtee, Administrative Specialist II
Bob Powers, Administrative Specialist II

PUBLIC PRESENT

Nicholas Stanisc
James Nutter
Wes Mast

CALL TO ORDER

Mr. Pyle called the meeting to order at 9:04 a.m.

REVIEW AND APPROVAL OF MEETING MINUTES

The Board reviewed the meeting minutes from the January 14, 2014 meeting. Mr. Harriger made a motion, seconded by Mr. Theoharis, to approve the minutes as written. The motion carried unanimously.

PROPOSAL TO DENY HEARING – Nick Stanisc 9:15 a.m.

BOARD PRESENT: Donald E. Pyle, Sr., Tim Harriger, Dennis Theoharis

PRESIDING: Donald E. Pyle, Sr., Chair

BOARD STAFF: Amanda McAtee, Administrative Specialist II
Bob Powers, Administrative Specialist II

DEPUTY ATTORNEY GENERAL FOR THE BOARD:

Jennifer Singh, Deputy Attorney General

RESPONDENT:

Nicholas Stanisic

COUNSEL FOR THE RESPONDENT:

James Nutter

PUBLIC PRESENT:

Wes Mast

COURT REPORTER PRESENT:

Vera Sitze, Wilcox and Fetzer

TIME STARTED:

9:15 a.m.

Ms. Singh went on record at 9:15 a.m. The Board members introduced themselves for the record.

Ms. Singh stated that the Board reviewed Mr. Stanisic's application for a home inspector license by endorsement at their September 24, 2013 meeting. After reviewing the application and all supporting documentation, the Board proposed to deny the application as it found that that Maryland's licensing requirements were not substantially similar to those of Delaware. Therefore, because Mr. Stanisic had not practiced for a minimum of five years after licensure in the State of Maryland he did not qualify for licensure by endorsement.

Under 24 *Del. C.* § 4111(a), "the Board shall grant a license to each applicant, who shall present proof of current licensure in good standing in another state, the District of Columbia, or territory of the United States, ***whose standards for licensure are substantially similar to those of this State.***" In addition, under 24 *Del. C.* § 4111(b), "An applicant, who is licensed in a state whose standards are not substantially similar to those of this State, ***shall have practiced for a minimum of 5 years after licensure***; provided however, that the applicant meets all other qualifications for endorsement in this section."

Ms. Singh marked a complete copy of Mr. Stanisic's home inspector application submitted by Mr. Stanisic, which included all supporting documentation, and the Board's correspondence noticing Mr. Stanisic of the proposal to deny decision as Board's Exhibit 1.

James Nutter, counsel for Mr. Stanisic, stated that the Maryland Statute and Rules and Regulations were substantially similar to the State of Delaware. Mr. Nutter explained that "substantially similar" did not mean that the states had to have identical Statutes and Rules and Regulations. The State of Maryland required a similar base of skills and education. Both states required a high school diploma or equivalent, completion of the National Home Inspector Examination, liability insurance, errors and emissions insurance, and completion of training courses.

Mr. Pyle stated that the State of Delaware required 125 supervised home inspections to be completed as part of licensure. The State of Maryland did not require supervised inspections and did not have a trainee program.

Mr. Stanisic was sworn in by the court reporter. Mr. Stanisic stated that he had completed a 72 hour on-site training course in the State of Maryland and passed the national examination. Since becoming licensed in the State of Maryland he had completed continuing education. Mr. Stanisic stated that he had contacted Amerispec in the State of Delaware to inquire about training with them.

The Board went off record at 9:58 a.m. to deliberate.

After deliberation, the Board went back on record at 10:28 a.m.

Mr. Pyle made a motion, seconded by Mr. Harriger, to deny the application of Mr. Nicholas Stanisic because Maryland's licensing requirements were not substantially similar to those of Delaware. The motion was not voted on and therefore did not carry.

Mr. Pyle stated that rather than deny the license, Mr. Stanisic could amend his application to become an inspector trainee or he could withdraw his application.

Mr. Nutter stated that Mr. Stanisic could not appeal if he chose to amend or withdraw his application. Ms. Singh suggested that the Board could leave the hearing record open until the March 11, 2014 meeting. Mr. Stanisic could decide between the meetings what option he wanted to pursue.

The hearing record was left open until the Board's March 11, 2014 meeting.

UNFINISHED BUSINESS

Final Denial

None

Federal Grants, Standards of Practice, and Code of Ethics Discussion

Mr. Pyle briefed the board that he had not received any more information on the Federal Grants.

Mr. Pyle and the Board requested that the Home Inspector Standards of Practice be revised to match the following revisions to the ASHI Standard of Practice. Ms. Singh stated that she would bring a revised copy of the Rules and Regulations to the March 11, 2014 meeting that would reflect the proposed revisions.

Continued Discussion of the New Castle County Board of Realtors Contract with Regards to Home Inspection

Mr. Pyle stated he had updated the agenda for the seminar for the Realtors that the Home Inspectors will be putting on in the first week of March and has highlighted issues that he felt needed to be addressed to the Realtors. Ms. Singh questioned the Board if they had reviewed the home inspector video on the DAR website. She then requested that the Board review the video to see if any of the information was incorrect. Ms. Singh then stated that the Board of Realtors counsel still needed to update the actual contract.

Continued Discussion Regarding Endorsement

Ms. Singh stated that the Board did not have an "experience based applicants" applicant type and that the Board could add a new regulation to create a new application type. Mr. Harriger suggested using the language from the grandfather clause as a template. After discussion Ms. Singh stated that she would draft a new regulation for the Board to review at the March 11, 2014 meeting.

Mr. Pyle questioned if construction experience could be considered by the Board as qualified experience for a home inspector. Mr. Harriger stated that he did not agree with that suggestion. Ms. McAtee stated that the topic was not on the agenda and that she would have it on the March 11, 2014 agenda for discussion.

NEW BUSINESS

Ratification of Issued Home Inspector Licenses

None

Review of Applications – Endorsement

None

Re-Review of Applications

Kurt Brown

Ms. McAtee stated that she never received correspondence from Mr. Brown after sending a letter requesting additional information in the form of an experience log. Mr. Pyle made a motion, seconded Mr. Harriger, to propose to deny the application of Kurt Brown for licensure under the grandfather provision because he did not meet the statutory requirements for licensure under § 4108(d). The motion carried unanimously.

CORRESPONDENCE

None

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

None

PUBLIC COMMENT

NEXT MEETING

The next Board meeting will be at **9:00 a.m. on Tuesday, March 11, 2014 in Conference Room B** located on the second floor of the Cannon Building at 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business to discuss, Mr. Harriger made a motion, seconded by Mr. Pyle, to adjourn the meeting at 11:55 a.m. The motion carried unanimously.

Respectfully Submitted,



Amanda McAtee
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.